

education and transitional services result in competitive or supported employment for youth with disabilities.

(Authority: 20 U.S.C. 1425)

[49 FR 28383, July 11, 1984, as amended at 52 FR 34368, Sept. 10, 1987; 56 FR 54698, Oct. 22, 1991]

§ 326.2 Who is eligible to apply for an award under this program?

The Secretary may provide assistance under this program by grants to, or contracts with—

- (a) Institutions of higher education;
- (b) State educational agencies;
- (c) Local educational agencies; and
- (d) Other public and private nonprofit institutions or agencies (including the State job training coordinating councils and service delivery area administrative entities established under the Job Training Partnership Act (29 U.S.C. 1501 *et seq.*)).

(Authority: 20 U.S.C. 1425(a))

§ 326.3 What regulations apply to this program?

The following regulations apply to awards under the Secondary Education and Transitional Services for Youth with Disabilities program:

- (a) The regulations in this part 326.
- (b) The Education Department General Administrative Regulations (EDGAR) in title 34 of the Code of Federal regulations in—
 - (1) Part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations);
 - (2) Part 75 (Direct Grant Programs);
 - (3) Part 77 (Definitions);
 - (4) Part 79 (Intergovernmental Review of Department of Education Programs and Activities);
 - (5) Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments);
 - (6) Part 81 (General Education Provisions Act—Enforcement);
 - (7) Part 82 (New Restrictions on Lobbying);
 - (8) Part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)); and

(9) Part 86 (Drug-Free Schools and Campuses).

(Authority: 20 U.S.C. 1425; 20 U.S.C. 3474(a))

[49 FR 28383, July 11, 1984, as amended at 56 FR 54698, Oct. 22, 1991]

§ 326.4 What definitions apply to this program?

(a) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

Applicant
Application
Award
EDGAR
Fiscal year
Grant
Grantee
Local educational agency
Nonprofit
Private
Project
Project period
Public
Secondary school
Secretary
State
State educational agency

(Authority: 20 U.S.C. 1425; 20 U.S.C. 3474(a))

(b) *Definitions in 34 CFR part 300.* The following terms used in this part are defined in 34 CFR 300.5, 300.13, and 300.14:

Children with disabilities
Related services
Special education

(Authority: 20 U.S.C. 1401(a) (1), (16), (17))

(c) *Other definitions.* In addition to the definitions referred to in paragraphs (a) and (b) of this section, the following definitions apply to this part:

- (1) *Youth with disabilities* means any child with disabilities who—
 - (i) Is twelve years of age or older;
 - (ii) Is enrolled in the seventh or higher grade in school; or
 - (iii) Was enrolled in the seventh or higher grade in school and recently left school.

(Authority: 20 U.S.C. 1401(b), 1425(a)(1))

(2) *Supported employment* is paid work in a variety of settings, particularly regular work sites, especially designed for individuals with disabilities—

- (i) For whom competitive employment at or above the minimum wage is not immediately obtainable; and

(ii) Who, because of their disability, need intensive on-going support to perform in a work setting.

(Authority: 20 U.S.C. 1425)

[49 FR 28383, July 11, 1984, as amended at 52 FR 34368, Sept. 10, 1987; 56 FR 54698, 54699, Oct. 22, 1991]

§§ 326.5—326.9 [Reserved]

Subpart B—What Kinds of Projects Does the Secretary Assist Under This Program?

§ 326.10 What kinds of projects are authorized under this part?

(a) This program supports research, development, demonstration, evaluation, and other types of projects for the following purposes:

(1) To improve secondary education programs for youth with disabilities.

(2) To coordinate with other activities serving this population.

(3) To provide education and related services to assist youth with disabilities in the transitional process to postsecondary education, vocational training, competitive employment, continuing education, independent or community living, or adult services.

(4) To stimulate the improvement of the vocational and life skills of students with disabilities to enable them to be better prepared for transition to adult life and services.

(b) Projects funded under this part must serve youth with disabilities and may also include other individuals with disabilities who have recently left special education programs.

(Authority: 20 U.S.C. 1425)

[49 FR 28383, July 11, 1984, as amended at 52 FR 34369, Sept. 10, 1987; 56 FR 54698, 54699, Oct. 22, 1991]

§§ 326.11—326.19 [Reserved]

Subpart C—How Does One Apply for a Grant?

§ 326.20 What must an applicant include in its application?

(a) Each applicant must include in its application information demonstrating how the activities it proposes will lead to competitive or supported employment of individuals with disabilities.

(b) Each applicant, other than for the purpose of conducting studies or evaluation, shall—

(1) Describe the procedures to be used for disseminating relevant findings and data to regional resource centers, clearinghouses, and other interested persons, agencies, or organizations;

(2) Describe the procedures to be used for coordinating services among agencies for which youth with disabilities are or will be eligible;

(3) Provide for the direct participation of students with disabilities and the parents of handicapped students in the planning, development, and implementation of such projects.

(c) Each applicant for activities described in § 326.30 (a) and (b) that is not an educational agency must include in its application information demonstrating how it has met, and will meet, the requirements of § 326.41.

(Approved by the Office of Management and Budget under control number 1820–0028)

(Authority: 20 U.S.C. 1425)

[49 FR 28383, July 11, 1984, as amended at 52 FR 34369, Sept. 10, 1987; 56 FR 54698, 54699, Oct. 22, 1991]

§§ 326.21—326.29 [Reserved]

Subpart D—How Does the Secretary Make a Grant?

§ 326.30 What priorities are considered for support by the Secretary under this part?

The Secretary may select annually one or more of the following priority areas for funding:

(a) *Transition strategies and techniques.* This priority supports research projects designed to develop strategies and techniques for transition to competitive or supported employment through improvements in independent living skills, secondary and postsecondary education, vocational preparation, and availability of work opportunities.

(b) *Service demonstration models.* This priority supports projects that develop and establish exemplary models for services and individualized education programs, including independent living vocational training and job placement, that result directly in paid employment in regular work settings for